

EL PASO DE ROBLES YOUTH CORRECTIONAL FACILITY

The El Paso de Robles Youth Correctional Facility (El Paso) is one of eight institutions operated by the California Youth Authority (CYA) for the detention, training and education of youthful offenders. The CYA is a department of the California Youth and Adult Correctional Agency. Recently, the agency has been under the scrutiny of the Governor, the California Attorney General, the Legislature, and the new Director of the Youth Authority. As a result, there has been considerable press coverage of CYA and its facilities during the first part of 2004.

The El Paso facility is located across from the Paso Robles Airport. It houses male offenders, referred to as “wards,” who have been committed to CYA by the Superior or Juvenile Court for offenses that would have been felonies if committed by adults. Under a special contract with the Monterey County Juvenile Probations Department, some of their wards were also located at the El Paso facility. The ward population at El Paso has been declining in recent years, mainly due to legislative changes. In April 2002 there were 644 CYA wards and 327 full time staff at El Paso. The ward population and staff level in April 2004 was 300 CYA wards, 48 Monterey County juveniles, and 264 full time staff.

Authority for the Inquiry

The California Penal Code §919 (b) states, “The grand jury shall inquire into the condition and management of the public prisons within the county.”

Method

The superintendent and assistant superintendent met with the full Grand Jury in August 2003 to provide an overview of El Paso’s mission and operations. They emphasized that the facility is open “24/7” and we were invited to visit at any time. Members of the Grand Jury visited the El Paso facility on three occasions during subsequent months. In addition to meetings and tours, the El Paso management and staff provided extensive documentation about the facility and its programs.

Informational Description and Observations

Our initial visit to the El Paso facility in October 2003 included presentations by the senior staff and department heads. They provided current program and performance data related to their area of responsibility. The format allowed questions and interaction

with all attendees. We also reviewed with the staff previous Grand Jury findings, recommendations, and CYA's responses to them.

We then toured the ward housing units, referred to as "cottages." There were nine active housing units at the time of our first visit, each named for communities in San Luis Obispo county. The number of wards housed in each unit ranged from 13 to 75, varying according to capacity and the program it houses. The Cambria cottage is the designated maximum detention unit. The environment is one of discipline and close personal and video scrutiny. We verified that there were no "cages" utilized for restraint or punishment of the type that had been reported in the press at some CYA facilities.

Wards are assigned to a cottage based on their program assignment, which includes initial reception and evaluation, drug dependency, food service and firefighters (fire-fighter wards have since been integrated into other cottages as a result of budget cuts detailed below). All wards assigned to a program and cottage wear colored T-shirts specific to that unit. This allows the correctional officers to quickly identify the wards when they are going from one area to another and to verify that they are in the proper location.

An informative part of our tour was a demonstration by the ward firefighters. This unit, comprised of the most trusted wards, provided significant county and state service. In 2003, the wards expended 111,772 man-hours in emergency fire fighting, controlled burns, and brush clearance.

Other programs also allowed wards to provide community service. They contributed over 1,000 man-hours for the December 2003 San Simeon earthquake emergency response and clean up. An additional 30,000 man hours were dedicated to community and state activities that included: park maintenance, road/ground maintenance, flood control, and general construction. A partial listing of other public service activities the wards performed included: maintenance for Paso Robles City, Hearst Castle, Atascadero City and Templeton Community Service District, Paso Robles spring clean up, Camp Roberts weed abatement and wood cutting, and the Mid-State Fair Paso Robles High School graduation set-up and teardown.

These disciplined service activities provided the wards with an opportunity to make positive contributions and gave them an incentive to return to society with job-related behaviors and skills. Nevertheless, as of the time of this report, the state budget cuts had eliminated the firefighters and the other community service programs, effective February 29, 2004. There are ongoing efforts to reinstate some of the programs. Resource groups that continue to be available to wards include: victim's awareness, substance abuse counseling, parenting, gang awareness, anger management, and employability skills.

Members of the Grand Jury attended a lunch meeting with the Citizens Advisory Committee on March 1, 2004. The approximately twenty members of the Advisory

Council represent various volunteer and non-profit organizations that provide support functions for the wards. The Paso Robles Police Chief is also an active member. The El Paso senior staff members attend the monthly Council meetings and present updates in their areas of management. In our one meeting observation, the Advisory Council appears to function less as an advising body than as an interface between the CYA and the local community.

At the March meeting, the assistant superintendent gave us copies of two reports commissioned by the California Attorney General and the Youth Authority: *The Review of Health Care Services in the California Youth Authority* released August 22, 2003, and *The General Corrections Review of the California Youth Authority* released December 23, 2003. Both reports were the result of thorough investigations over an extended review period, and both reports are highly critical of the central (state) and local management of all CYA institutions. The recommendations, if implemented, will result in major changes to the CYA.

On March 9, 2004, members of the Grand Jury returned to the facility to observe high school and general education classes. Our observations were that, although the instructors were making an honest effort to provide a disciplined and educational environment, many of the wards did not seem to be engaged in the classroom activities. The CYA should address whether the instructional content or end results are meaningful to the general ward population.

Investigation of Pharmacy Medications

In February 2004, *The Tribune* of San Luis Obispo reported that the state commission report on health services had found that the El Paso de Robles pharmacy contained expired medications. Based on that information, and without prior notice, we asked to review the pharmacy during our March 1 visit. Our intent was to verify that appropriate corrective action had been implemented. Contrary to the previously touted “24/7” availability, the superintendent and assistant superintendent initially balked at our request, citing various reasons that would prohibit our inspection of the pharmacy. At our insistence they reluctantly agreed, and three jurors were escorted to the medical building.

The pharmacy is a secured room within the clinic. We found boxes of expired medications on top of the counters and the floor covered with several boxes of new medications that were not properly stored. Upon subsequent review we found that the August report described a similar situation: “the pharmacy contained boxes and bags of medications stored on the floor. Many of the medications had expired, or were about to expire.” (*Review of Health Care Services in the California Youth Authority*, p. 47)

The superintendent indicated to us that there was no effective means of disposal for expired medication. However, jurors later performed an internet search and quickly identified information regarding the availability of registered disposal companies, one of which is based in California.

Findings

- (1) Expired medications are stored in the pharmacy.
- (2) Significant quantities of medications are not properly stored in the pharmacy.

Recommendations

- (1) The El Paso de Robles Youth Authority should take advantage of available services to properly dispose of expired medications.
- (2) Pharmaceuticals should be ordered on an as-needed basis and should be expeditiously inventoried and stored.

Conclusion

Although the management expressed an openness to Grand Jury inspection on a “24/7” basis, a more closed, protective attitude surfaced when we asked for an unannounced tour of the pharmacy. This response seems consistent with that mentioned in the December *General Corrections Review of the California Youth Authority* report which noted that middle management had referred to prior investigations at El Paso as “the witch hunt.” We would suggest that a less defensive posture toward authorized inspections would better serve the institution.

Overall, El Paso de Robles Youth Authority provides a reasonably safe environment for the wards, staff, and correctional officers under conditions that are frequently hostile and dangerous. The effectiveness of local and state mandated policies and the state-wide improvements that are needed are best addressed by the state CYA, the formal state review panel, and ultimately the Legislature.

Required Response

Pursuant to Penal Code §933 (c), the following agencies are required to respond to the findings and recommendations contained in this report: The El Paso de Robles Youth Authority Youth Correctional and The California Youth Authority.